IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.T.SANKARAN

FRIDAY, THE 31ST AUGUST 2007 / 9TH BHADRA 1929

Crl.MC.No. 2758 of 2007

CRIME NO.519/07 OF KAYAMKULAM POLICE STATION

PETITIONERS: ACCUSED NO.3:

N.RAJENDRAN, S/O.LATE V.NARAYANAN,
AGED 50 YEARS, NARAYANAPURAM,
MUTHUKULAM NORTH MURI,
MUTHUKULAM VILLAGE,
ALAPPUZHA DISTRICT.

BY ADV. SMT.K.S.SAIRA

RESPONDENT: COMPLAINANT:

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM, THROUGH SUB INSPECTOR OF POLICE,
KAYAMKULAM.

BY PUBLIC PROSECUTOR SRI.GIKKU JACOB

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 31/8/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.T. SANKARAN, J.

Crl.M.C. NO. 2758 OF 2007

Dated this the 31st day of August, 2007

O R D E R

The petitioner is accused No.3 in Crime No.519 of 2007 of Kayamkulam Police Station. He has filed an application under Section 438 of the Code of Criminal Procedure before the Sessions Court, Alappuzha as Crl.M.P.No.1972 of 2007. That application was made over to the Additional Sessions Court, Mavelikkara and the same is pending disposal.

2. Meanwhile, the mother-in-law of the petitioner died on 26.8.2007. The prayer in this Cril.M.C is to issue a direction to the Additional Sessions Court, Mavelikkara to dispose of Crl.M.P.No.1972 of 2007 expeditiously. There is a further prayer for a direction not to arrest the petitioner till the disposal of the application for anticipatory bail by the Sessions Court. It is stated that the petitioner has to attend the rituals to be performed after the death of his mother-in-law.

3. Learned Public Prosecutor opposed the application. He submits that the son-in-law need not offer any customary rituals.

4. Taking into account the facts and circumstances of the case, there will be a direction to the Additional Sessions Court, Mavelikkara to dispose of the application for anticipatory bail filed by the petitioner as Crl.M.P.No.1972 of 2007 as expeditiously as possible. There will be a

direction to the respondent not to arrest the petitioner on 2.9.2007.

The Criminal Miscellaneous Case is disposed of as above.

(K.T.SANKARAN)
Judge

ahz/